

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

GENE ALLEN,

Petitioner,

Case No. 3:24-cv-00455-MMD-CLB

v.

ORDER

STATE OF NEVADA, et al.,

Respondents.

Petitioner Gene Allen submitted a *pro se* petition for writ of habeas corpus. (ECF No. 1-2.) He filed the first page only of an application to proceed *in forma pauperis* ("IFP"), but did not use the IFP form for incarcerated persons or submit a completed financial certificate and the required inmate account statements. Accordingly, this matter has not been properly commenced. See 28 U.S.C. § 1915(a)(2); LR LSR 1-2.

While this action is therefore subject to dismissal without prejudice as improperly commenced, it is unclear from the papers presented whether a dismissal without prejudice might materially affect a later analysis of any timeliness issue with regard to a new action. The Court will thus give Petitioner 30 days to either (1) pay the \$5.00 filing fee or (2) submit a fully completed IFP application on the proper form for incarcerated individuals, with the financial certificate completed and signed by an authorized officer, as well as an inmate account statement for the past six months.

It is therefore ordered that within 30 days of the date of this order Petitioner must either pay the \$5.00 filing fee or submit a completed application to proceed *in forma pauperis*, with the financial certificate and his inmate account statement for the past six months.

It is further ordered that if Petitioner fails to comply with this order, this action may be dismissed without prejudice and without further prior notice.

1 The Clerk of Court is further directed to send to Petitioner one copy of the
2 application to proceed *in forma pauperis* form for incarcerated persons, with instructions.

3 DATED THIS 22nd Day of October 2024.

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6 MIRANDA M. DU
7 UNITED STATES DISTRICT JUDGE
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